

P. G. L., (1860,) art 28, sec 87. 1846, ch. 299.

58. In case of the death, resignation or removal out of the county, or other disqualification of either or both of said managers, or of the treasurer, any three of the taxables rated for such ditch or ditches may immediately call together, by advertisement, as hereinbefore directed, the taxables rated for such ditch or ditches, for the purpose of supplying such vacancy; and the person or persons receiving a majority of votes cast at such meeting shall be declared duly elected to serve until the annual election.

Ibid. sec 88. 1858, ch. 271, sec. 11.

59. Any person taxed for any ditch which does not pass through or upon his land, may open a ditch or ditches through the intervening lands into such main ditch or ditches, and keep the same open at his own cost and charge; provided, that no such cross-ditch shall be cut through the land of any other person without the consent of the owner of such land, unless the same be laid out and approved, and the damages thereon accruing to the owner of the land be assessed by the commissioners appointed to lay out the main ditch, or by three other freeholders appointed by the county commissioners for said county for the purpose of assessing such damages.

Ibid. sec. 89. 1858, ch. 271, sec. 11.

60. The person applying for such ditch shall pay all the costs of laying out and opening the same; and shall also, before making such ditch, tender or pay all damages awarded to such persons as may be injured thereby.

Ibid. sec. 90. 1858, ch. 271, sec. 11.

61. Whenever, in the opinion of the commissioners, the owner of the intervening land, or any other person whose lands are situated at the head or above such cross-ditch will derive any benefit from cutting the same, then the said owner of the intervening land, or other person benefited, shall contribute and pay such sum or sums, respectively, as the commissioners shall determine to be his proportionate part of the damage, costs and expenses for laying out and making such cross-ditch or ditches.